

AMENDED IN ASSEMBLY APRIL 13, 2005

AMENDED IN ASSEMBLY MARCH 14, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 172

Introduced by Assembly Member Chan

(Principal coauthor: Senator Escutia)

(Coauthors: Assembly Members Berg, Bermudez, Cohn, Coto, Evans, Hancock, Jones, Koretz, Leno, Lieber, Liu, Montanez, Mullin, Nava, Parra, Pavley, Ruskin, Salinas, and Yee)

(Coauthors: Senators Figueroa, Florez, Kuehl, Lowenthal, and Ortiz)

January 20, 2005

An act to amend Section 8235 of, *and to add Article 7.5 (commencing with Section 8238) to Chapter 2 of Part 6 of*, the Education Code, relating to preschool.

LEGISLATIVE COUNSEL'S DIGEST

AB 172, as amended, Chan. Universal preschool.

Existing law, the Child Care and Developmental Services Act, establishes various full- and part-time programs for a comprehensive, coordinated, and cost-effective system of developmental services for children to age 14 and their parents. Other existing law, the Kindergarten Readiness Pilot Program, permits, until January 1, 2011, school districts to participate in the program to provide kindergarten preparedness opportunities to increase a child's readiness for school. Existing law requires the Superintendent of Public Instruction to administer state preschool programs including part-time day and preschool appropriate programs for prekindergarten children 3 to 5 years of age.

This bill would make certain findings and state the intent of the Legislature with regard to universal preschool. The bill would require the Superintendent of Public Instruction to report to the Legislature by January 1, 2007, on state preschool programs, with certain requirements.

The bill would require the Superintendent of Public Instruction to convene a committee to develop a plan to coordinate the capacity and efficiency of the state system of postsecondary education for the purpose of preparing and training high quality staff in preschool programs, with certain requirements. The bill would also require the State Department of Education to develop a plan for the establishment of a credential in early childhood education.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) A compelling body of respected research demonstrates that
- 4 quality preschool programs benefit children and their families,
- 5 the public school system, public safety, the economy, and society
- 6 as a whole.
- 7 (b) California has an enormous opportunity to reach children
- 8 at a time when they are eager and ready to learn. 90 percent of
- 9 brain development takes place before age five, making early
- 10 childhood the best time to invest in preschool programs that
- 11 boost learning, creativity, and social skills. Preschool programs
- 12 lay a strong foundation that helps children succeed in school and
- 13 in life.
- 14 (c) Quality preschool experiences boost academic achievement
- 15 in school, decrease grade retention, decrease special education
- 16 placements, and increase graduation rates. Quality preschool
- 17 further reduces the likelihood of later arrest and incarceration,
- 18 and increases college attendance and earnings in adulthood.
- 19 Economists report that every dollar invested in quality preschool
- 20 returns as much as seven dollars (\$7) to the public.
- 21 (d) Hundreds of thousands of children in this state do not have
- 22 access to quality preschool. Preschool age children enroll at a

1 rate of just 47 percent below the national average and far below
2 international comparisons.

3 (e) The fastest growing segment of the preschool age
4 population is the most underenrolled, in that Latino children
5 account for nearly half of all preschool age children, yet have the
6 lowest enrollment rate of any ethnic group, just 37 percent.

7 (f) Of the estimated 1.1 million children who are three to five
8 years old and not yet enrolled in kindergarten, about 39 percent
9 would likely be designated as English language learners.
10 Therefore, pathways to excellence must be created for all
11 children while communicating respect and support for
12 differences in cultural origins.

13 (g) Quality preschool experiences decrease special education
14 placements, in part because they have the potential to provide
15 early identification and intervention for young children with
16 exceptional needs, which can reduce the need for ongoing special
17 education services. Providing access to quality preschool for
18 children with exceptional needs can help support their
19 development and prepare them for a successful transition to
20 kindergarten and beyond.

21 (h) Research confirms the many benefits that children, parents,
22 and preschool programs gain when parents are involved in their
23 child's preschool learning both inside the classroom and at home.

24 (i) Universal programs — those available to all families — are
25 supported by research. Research shows that children from all
26 backgrounds benefit from quality preschool. The school and life
27 success of low-income and at-risk children may be significantly
28 increased through quality preschool. But problems with school
29 readiness are not confined to low-income children and neither are
30 the benefits of preschool. A 2004 University of California study
31 of California kindergartners found that children from all income
32 backgrounds who attended preschool showed significant
33 prereading and premath gains over children who did not attend
34 preschool.

35 (j) Low- and middle-income California families have low
36 preschool enrollment rates. Private preschool may be
37 prohibitively expensive, with quality programs in some
38 communities costing twice as much per year as tuition to the
39 California State University system.

1 (k) The Council of Chief State School Officers has found that
2 efforts to reform and strengthen public education cannot succeed
3 without a concerted effort to support and improve programs that
4 provide care and education for our youngest children.

5 (l) All California families should have access to quality
6 preschool programs for their children.

7 (m) These ideas are supported by many of the findings and
8 recommendations of the National Education Goals Panel, the
9 2000 California Master Plan for Education, and the 1998
10 Universal Preschool Task Force.

11 SEC. 2. Therefore, it is the intent of the Legislature to
12 establish and provide a voluntary preschool-for-all system that
13 conforms to the following principles:

14 (a) Programs may be offered in a variety of settings including
15 public schools, centers, family child care homes, faith-based
16 institutions, and head start programs. These programs will meet
17 research-based standards for social, emotional, cognitive,
18 linguistic, and physical development, and are linked to public
19 school system standards.

20 (b) A goal will be set for preschool teachers to be educated
21 and compensated at levels comparable to teachers in the public
22 school system and early education professionals will have access
23 to ongoing professional development.

24 (c) Recognizing that parents are their children's first teachers,
25 and that preschool programs benefit from engaged parents,
26 programs will create opportunities for parent involvement in
27 preschool settings, as well as for interaction between parents and
28 preschool teachers and administrators. Quality preschools can
29 become learning resources not only for children but for their
30 parents as well.

31 (d) Families will have access to programs with settings,
32 locations, hours, and participatory opportunities that meet their
33 needs and preferences, and that support their aspirations for their
34 children. For working families, part-time preschool will be
35 integrated with full-time daycare as seamlessly as possible.

36 (e) Children of all cultural, ethnic, and linguistic backgrounds,
37 income levels, and neighborhoods will be welcomed in inclusive
38 programs designed to meet their needs.

39 (f) Elements that promote the inclusion of children with
40 exceptional needs will be integrated into the planning and design

1 of programs, facilities, staff training programs, and the provision
2 of resources for parents.

3 (g) A system of public accountability will be established at
4 state and local levels to ensure maximum benefits for children,
5 equal access to services, proper use of tax dollars, and
6 transparency to the public.

7 (h) Programs will meet established standards of the public
8 school system, providing adequate pay and benefits for qualified
9 teachers, establishing accessible higher education opportunities
10 for the preparation of the workforce, developing suitable
11 preschool facilities, and engaging in ongoing quality
12 assessments. Financing of preschool should not detract from
13 funding for infants, toddlers, and schoolage children, nor child
14 care subsidies that enable low-income families to work.

15 (i) A preschool-for-all system will connect coherently with the
16 public education system as well as to programs serving infants
17 and toddlers and those providing full-time, full-time year-round
18 child care and other services for children of all ages. In addition,
19 the preschool-for-all system will connect families to other
20 services, including health and nutrition resources, that support
21 children's readiness to learn.

22 (j) All children deserve the opportunity to get ready to do their
23 best in school, and to succeed later in life. Quality preschool
24 helps build a learning foundation that should be available to all
25 families who want it for their children. The Legislature
26 recognizes the benefits of quality preschool, and that the public
27 education system, the economy, and quality of life will be
28 strengthened by providing quality preschool for all children.

29 SEC. 3. Section 8235 of the Education Code is amended to
30 read:

31 8235. (a) The Superintendent shall administer all state
32 preschool programs in accordance with the funding priorities set
33 forth in Section 8236. Those programs shall include, but not be
34 limited to, part-day and preschool appropriate programs for
35 prekindergarten children three to five years of age in educational
36 development, health services, social services, nutritional services,
37 parent education and parent participation, evaluation, and staff
38 development. Preschool programs for which federal
39 reimbursement is not available shall be funded as prescribed by
40 the Legislature in the Budget Act, and unless otherwise specified

1 by the Legislature, shall not utilize federal funds made available
2 through Title XX of the Social Security Act (42 U.S.C. Sec.
3 1397).

4 (b) Federal Headstart funds used to provide services to
5 families receiving state preschool services are nonrestricted
6 funds.

7 (c) Priority for receiving state preschool services shall be
8 given to low-income families who meet the eligibility standards
9 as established by the Superintendent, in accordance with the
10 priorities set forth in Section 8236.

11 (d) Reimbursement for state preschool programs shall be on a
12 per capita basis, as determined by the Superintendent.

13 (e) Any agency described in subdivision (c) of Section 8208 as
14 an “applicant or contracting agency” is eligible to contract to
15 operate a state preschool program.

16 (f) The Superintendent shall prepare a report regarding the
17 types of preschool programs that receive funding pursuant to this
18 article. This report shall include, but not be limited to, data
19 relating to the geographic and income distribution of participants
20 in these programs. The Superintendent shall submit this report to
21 the Legislature on or before January 1, 2007.

22 *SEC. 4. Article 7.5 (commencing with Section 8238) is added*
23 *to Chapter 2 of Part 6 of the Education Code, to read:*
24

25 *Article 7.5. Preschool for All and Investment in*
26 *Postsecondary Education for a Well-Qualified Workforce*
27

28 *8238. The Legislature finds and declares all of the following:*

29 *(a) Research demonstrates that the benefits children reap from*
30 *preschool are directly tied to the quality of preschool programs,*
31 *including the skill of instructional staff.*

32 *(b) Many researchers, educators, early childhood experts,*
33 *parents, and community leaders agree that qualified, skilled*
34 *teachers are an essential element in ensuring that California’s*
35 *Preschool for All system fosters children’s school success, as*
36 *well as the development of their social, emotional, physical, and*
37 *cognitive skills that will help them succeed in life.*

38 *8238.1. (a) The Superintendent shall convene a committee to*
39 *develop a plan to coordinate the capacity and efficiency of the*
40 *state system of postsecondary education for the purpose of*

1 *preparing and training high quality staff in preschool programs.*
2 *The plan shall address the enhancement of the postsecondary*
3 *education system infrastructure for the purpose of educating,*
4 *preparing, and supporting a well-trained, culturally and*
5 *linguistically diverse teaching and administrative staff to work*
6 *with all children in preschool programs and early learning*
7 *programs.*

8 *(b) The committee shall consist of experts in early child care*
9 *and education, parents, and representatives from all levels of*
10 *postsecondary education and shall be composed of*
11 *representatives from all of the following:*

12 *(1) The University of California, if the Regents of the*
13 *University of California choose to participate.*

14 *(2) The California State University.*

15 *(3) The California Community Colleges.*

16 *(4) Private colleges and universities located in the state.*

17 *(5) The Commission on Teacher Credentialing.*

18 *(6) The State Department of Education.*

19 *(7) The California Children and Families Commission and*
20 *county commissions established pursuant to Section 130140.1 of*
21 *the Health and Safety Code.*

22 *(8) The Workforce Development Blue Ribbon Committee*
23 *convened by the California Children and Families Commission.*

24 *(9) Early child care and education experts and practitioners,*
25 *including administrators, teachers, providers, and experts in*
26 *early childhood development, research and especially those with*
27 *expertise in the following areas:*

28 *(A) Brain and social-emotional development.*

29 *(B) Content learning areas.*

30 *(C) Teaching children who are learning English as a second*
31 *language.*

32 *(D) The inclusion of special needs children.*

33 *(10) Teachers and administrators in the public schools.*

34 *(11) Early care and education mentor representatives.*

35 *(12) Early care and education trainers who provide training*
36 *outside of the postsecondary education system.*

37 *(13) Parent groups.*

38 *(14) Child advocacy organizations.*

39 *(15) The Department of Finance.*

40 *(16) The Governor.*

1 *(17) Designees of the President pro Tempore and the minority*
2 *leader of the Senate, and of the Speaker and the minority leader*
3 *of the Assembly.*

4 *(c) Upon its completion, the committee shall present the plan*
5 *to the Senate Committee on Education, the Assembly Committee*
6 *on Education, the Assembly Committee on Higher Education,*
7 *and the Secretary for Education.*

8 8238.2. *The plan developed by the committee pursuant to*
9 *Section 8238.1 shall include, but not be limited to,*
10 *recommendations on all of the following:*

11 *(a) Providing funding to institutions of postsecondary*
12 *education, providers of professional development, and other*
13 *entities that prepare instructional staff, to increase their capacity*
14 *to educate, train, prepare, and support well-trained, culturally*
15 *and linguistically diverse teaching and administrative staff to*
16 *work with children in preschool programs and early learning*
17 *programs.*

18 *(b) Providing assistance, including various types of financial*
19 *incentives and academic support, to current and potential*
20 *preschool teachers who seek additional training and education,*
21 *especially training and education in meeting the linguistic,*
22 *cultural, and special needs of children. This aspect of the*
23 *infrastructure should involve coordination with the California*
24 *Student Aid Commission and other institutions and local*
25 *organizations that provide education and professional*
26 *development opportunities.*

27 *(c) Defining multiple strategies and pathways for instructional*
28 *staff and administrators to meet the required staff qualifications*
29 *of preschool programs. These strategies and pathways should*
30 *ensure access to postsecondary education opportunities for early*
31 *care and education professionals currently at all levels of the*
32 *career ladder, including home-based and center-based*
33 *providers.*

34 *(d) Delineating core competencies that teachers and*
35 *administrators of early care and education programs should*
36 *possess in order to achieve the desired child outcome goals.*

37 *(e) Aligning college instruction among all levels of the*
38 *postsecondary educational system to provide, at all those levels,*
39 *curriculum in early child care and education and the methods by*

1 *which to establish uniformity of course content and certification*
2 *requirements.*

3 *(f) Articulating a system throughout the postsecondary*
4 *education system and training institutions for the training of*
5 *preschool teachers and their professional development.*

6 *(g) Standardizing the sequence of practicums or other*
7 *field-related coursework across all levels of the postsecondary*
8 *educational system so as to reduce duplication of courses among*
9 *transfer students.*

10 *(h) Creating a mechanism to approve or accredit training and*
11 *academic programs that prepare preschool teachers and to*
12 *approve the certification of trainers and teachers of those*
13 *programs.*

14 *(i) Providing a method to create academic and career*
15 *counseling opportunities for current and potential providers of*
16 *early care and education.*

17 *(j) Establishing access to ongoing professional development*
18 *for preschool teachers.*

19 *(k) Developing strategies to recruit and retain professors,*
20 *professional development trainers, teachers, and administrators*
21 *of early care and education programs who reflect the ethnic,*
22 *racial, linguistic, and cultural diversity of the families of*
23 *California based on the most recently released census data.*

24 *(l) Providing appropriate compensation incentives to reward*
25 *educational attainment, experience, and professional*
26 *development activities for all staff in the early care and*
27 *postsecondary education system to ensure that highly trained*
28 *staff are present in all aspects of the system.*

29 8238.3. *(a) The Legislature finds and declares all of the*
30 *following:*

31 *(1) It is the intent of the Legislature to establish an Early*
32 *Childhood Teaching Credential.*

33 *(2) In recognition of the demonstrated relationship between*
34 *quality early childhood education and staff that possess*
35 *appropriate and required qualifications, it is the policy of this*
36 *state that preschool teachers meet the same requirements for*
37 *highly qualified teachers as those established for California's*
38 *elementary teachers.*

1 (3) *These requirements will take effect with the establishment*
2 *of a Preschool for All program requiring highly qualified*
3 *teachers.*
4 (b) (1) *On or before July 1, 2008, the department shall*
5 *develop a plan for the establishment of a credential in early*
6 *childhood education in conjunction with the California*
7 *Commission on Teacher Credentialing, California community*
8 *colleges, and other institutions of postsecondary education. This*
9 *plan shall improve the preparation of teachers in subject matter*
10 *knowledge, basic instructional techniques, use of student*
11 *assessment data, and adapting instruction for English learners*
12 *and pupils with Individualized Educational Programs.*